

SECTION 10

RULEMAKING FORMS

INTRODUCTION TO THE RULEMAKING FORMS _____

The forms found on the following pages are those to be used when preparing materials for submission to the Office for publication and for filing. The questions and all answers are to appear in order as shown here. DO NOT change the questions! If you change the questions, the Office staff will have to try to figure out what you mean in order to publish the material in the same consistent manner as other agencies' rules. This will take more time and you may find that publication of your rules is delayed.

The questions and their answers are to all be double-spaced. Please DO NOT single-space the questions and double-space the answers and DO double-space the questions and single-space the answers. BOTH must be double-spaced.

If you do not have the capability to do boldface type for the questions, please underline them to distinguish the questions from the answers.

Take as many pages as you need to complete each Notice. The forms in this manual are printed on both sides of the page in order to conserve space. You shall only use one side of the page when preparing them for submission to the Office for publication and filing and you shall have margins of one inch on all sides of each page.

NOTE: Several of these forms are printed double-sided to minimize the amount of paper used in this manual. When preparing notices of any kind for publication in the Register, DO NOT duplex the pages. All pages of each original and each copy shall be printed on one side of the page only (simplex).

For other instructions please refer to Sections 6 and 7 of this Manual.

NOTICE OF RULEMAKING DOCKET OPENING

Agency Name

1. **Title and its heading:**

Chapter and its heading:

Subchapter and its heading (if applicable):

Article and its heading:

Part and its heading (if applicable):

Section numbers

2. **The subject matter of the proposed rule:**

The agency docket number, if applicable:

3. **A citation to all published notices relating to the proceeding:**

_____ A.A.R. _____,
Vol. # _____ page # _____ Issue date _____

_____ A.A.R. _____,
Vol. # _____ page # _____ Issue date _____

4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name:

Address:

Telephone:

Fax:

5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**

6. **A timetable for agency decisions or other action on the proceeding, if known:**

NOTICE OF PROPOSED RULEMAKING

TITLE

CHAPTER

SUBCHAPTER

PREAMBLE

1. Sections Affected Rulemaking Action

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute:
Implementing statute:
3. A list of all previous notices appearing in the Register addressing the proposed rule:

4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name:
Address:
Telephone:
Fax:
5. An explanation of the rule, including the agency's reasons for initiating the rule:
6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:
7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:
8. The preliminary summary of the economic, small business, and consumer impact:

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name:
Address:
Telephone:
Fax:

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:
11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
12. Incorporations by reference and their location in the rules:
13. The full text of the rules follows:

NOTICE OF SUPPLEMENTAL PROPOSED RULEMAKING

TITLE

CHAPTER

SUBCHAPTER

PREAMBLE

- 1. Register citation and date for the original Notice of Proposed Rulemaking:**

_____ A.A.R. _____, _____

Vol. #	Page #	Issue date
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- | <u>2. Sections Affected</u> | <u>Rulemaking Action</u> |
|------------------------------------|---------------------------------|
|------------------------------------|---------------------------------|

3. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute:

Implementing statute:

- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name:

Address:

Telephone Number:

Fax Number:

- 5. An explanation of the rule, including the agency's reasons for initiating the rule:**

- 6. An explanation of the substantial change which resulted in this supplemental notice:**

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

- 8. The preliminary summary of the economic, small business, and consumer impact:**

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name:

Address:

Telephone Number:

Fax Number:

- 10. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:**

Date:

Time:

Location:

Nature:

11. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**
12. **Incorporations by reference and their location in the rules:**
13. **The full text of the changes follows:**

NOTICE OF TERMINATION OF RULEMAKING

TITLE

CHAPTER

1. **The Register citation and the date of the Notice of Proposed Rulemaking:**

_____ A.A.R. _____, _____

Vol. # Page # Issue date

2. **Articles, Parts, and Sections Affected**

Rulemaking Action

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NOTICE OF FINAL RULEMAKING

TITLE

CHAPTER

SUBCHAPTER

PREAMBLE

1. Sections Affected Rulemaking Action

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute:
Implementing statute: s
3. The effective date of the rules:

4. A list of all previous notices appearing in the Register addressing the final rule:

_____ A.A.R. _____,
Vol. # _____ Page # _____ Issue date _____
5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name:
Address:
Telephone:
Fax:
6. An explanation of the rule, including the agency's reason for initiating the rule:

7. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:

8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

9. The summary of the economic, small business, and consumer impact:

10. **A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):**
11. **A summary of the principal comments and the agency response to them:**
12. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**
13. **Incorporations by reference and their location in the rules:**
14. **Was this rule previously adopted as an emergency rule?**
- If so, please indicate the *Register* citation:
- _____ A.A.R. _____,
Vol. # Page # Issue date
15. **The full text of the rules follows:**

NOTICE OF EMERGENCY RULEMAKING

TITLE

CHAPTER

SUBCHAPTER

PREAMBLE

1. Sections Affected Rulemaking Action
2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute:
Implementing statute:
3. The effective date of the rules:
4. Is this rulemaking a renewal of a previous emergency rulemaking?

If yes, the Register citation to previous notices of emergency rulemaking:

_____ A.A.R. _____,
Vol.# Page # Date of issue

_____ A.A.R. _____,
Vol.# Page # Date of issue
5. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name:
Address:
Telephone Number:
Fax Number:
6. An explanation of the rule, including the agency's reasons for initiating the rule:
7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:
8. The summary of the economic, small business, and consumer impact:
9. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
10. Incorporations by reference and their location in the rules:
11. An explanation of the situation justifying the rule's adoption as an emergency rule:
12. The date of the Attorney General's approval of the emergency rule:

13. **The full text of the rules follows:**

NOTICE OF PROPOSED SUMMARY RULEMAKING

TITLE

CHAPTER

SUBCHAPTER

PREAMBLE

1. Sections Affected Rulemaking Action

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute:
Implementing statute:
3. The interim effective date of the summary rules:
4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name:
Address:
Telephone Number:
Fax Number:
5. An explanation of the rule, including the agency's reasons for initiating the rule:
6. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:
7. The preliminary summary of the economic, small business, and consumer impact:
8. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name:
Address:
Telephone Number:
Fax Number:
9. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule:

Date:
Time:
Location:
Nature:
10. An explanation of why summary proceedings are justified:

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules
12. Incorporations by reference and their location in the rules:
13. The full text of the rules follows:

NOTICE OF FINAL SUMMARY RULEMAKING

TITLE

CHAPTER

SUBCHAPTER

PREAMBLE

1. Sections Affected Rulemaking Action

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute:
Implementing statute:
3. The effective date of the summary rules:
4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name:
Address:
Telephone Number:
Fax Number:
5. The concise explanatory statement, including an explanation of the rule and the agency's reasons for initiating it:
6. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:
7. The economic, small business, and consumer impact:
8. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name:
Address:
Telephone Number:
Fax Number:
9. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule:

Date:
Time:
Location:
Nature:
10. An explanation of why summary proceedings are justified:

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules
12. Incorporations by reference and their location in the rules:
13. The full text of the rules follows:

NOTICE OF EXEMPT RULEMAKING

TITLE

CHAPTER

SUBCHAPTER

PREAMBLE

1. Sections Affected Rulemaking Action
2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute:
Implementing statute:
3. The effective date of the rules:
4. A list of all previous notices appearing in the Register addressing the exempt rule:

_____ A.A.R. _____, _____
Vol. # Page # Issue date
5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name:
Address:
Telephone Number:
Fax Number:
6. An explanation of the rule, including the agency's reasons for initiating the rule, including the statutory citation to the exemption from the regular rulemaking procedures:
7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:
8. The summary of the economic, small business, and consumer impact:
9. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):
10. A summary of the principal comments and the agency response to them:
11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
12. Incorporations by reference and their location in the rules:

13. **Was this rule previously adopted as an emergency rule?**

If so, please indicate the Register citation:

_____ A.A.R. _____, _____

Vol. #

Page #

Issue date

14. **The full text of the rules follows:**

NOTICE OF PUBLIC HEARING ON PROPOSED RULEMAKING

1. **Name of the agency:**

2. **The Title and its heading:**

The Chapter and its heading:

The Subchapter and its heading, if applicable:

The Article and its heading:

The Part and its heading, if applicable:

3. **Section numbers:**

Proposed Action:

4. **The Register citation to the original notice and any supplemental notices:**

Original Notice:

_____ A.A.R. _____, _____

Vol. # Page # Issue date

Supplemental Notice:

_____ A.A.R. _____, _____

Vol. # Page # Issue date

5. **The date, time, and location of public hearings:**

6. **The name, address, and telephone number of agency personnel to whom questions and comments on the rules may be addressed:**

Name:

Address:

Telephone:

NOTICE OF PUBLIC WORKSHOP ON PROPOSED RULEMAKING

1. **Name of the agency:**

2. **The Title and its heading:**

The Chapter and its heading:

The Subchapter and its heading, if applicable:

The Article and its heading:

The Part and its heading, if applicable:

3. **Section numbers:**

Proposed Action:

4. **The Register citation to the original notice and any supplemental notices:**

Original Notice:

_____ A.A.R. _____, _____

Vol. # Page # Issue date

Supplemental Notice:

_____ A.A.R. _____, _____

Vol. # Page # Issue date

5. **The date, time, and location of public workshops:**

6. **The name, address, and telephone number of agency personnel to whom questions and comments on the rules may be addressed:**

Name:

Address:

Telephone:

NOTICE OF PUBLIC MEETING ON OPEN RULEMAKING DOCKET

1. **Name of the agency:**

2. **The Title and its heading:**

The Chapter and its heading:

The Subchapter and its heading, if applicable:

The Article and its heading:

The Part and its heading, if applicable:

3. **Section numbers:**

Proposed Action:

4. **The Register citation to the original notice and any supplemental notices:**

Original Notice:

_____ A.A.R. _____, _____

Vol. # Page # Issue date

Supplemental Notice:

_____ A.A.R. _____, _____

Vol. # Page # Issue date

5. **The date, time, and location of public meeting:**

6. **The name, address, and telephone number of agency personnel to whom questions and comments on the rules may be addressed:**

Name:

Address:

Telephone:

NOTICE OF PUBLIC HEARING ON PROPOSED DELEGATION AGREEMENT

1. **Name of the agency proposing the delegation agreement:**
2. **The name of the political subdivision to which the agency is proposing to delegate functions, powers, or duties:**
3. **A summary of the proposed delegation agreement:**
4. **The Register citation and date of the notice of proposed delegation agreement and all supplemental notices published in the Register:**

Notice of Proposed Delegation Agreement:

_____ A.A.R. _____, _____

Vol. # Page # Issue date

Supplemental Notice:

_____ A.A.R. _____, _____

Vol. # Page # Issue date

5. **The date, time, and location of public hearing:**
6. **The name, address, and telephone number of agency personnel to whom questions and comments on the rules may be addressed:**

Name:

Address:

Telephone:

NOTICE OF FORMAL RULEMAKING ADVISORY COMMITTEE

Agency Name

1. The specific rules or subject matter on which the committee is to comment, if known:
2. The names of the committee members:
3. The date the committee was formed:

NOTICE OF PROPOSED DELEGATION AGREEMENT

1. Name of the agency proposing the delegation agreement:
2. The name of the political subdivision to which functions, powers, or duties of the agency are proposed to be delegated:
3. The name, address, and telephone number of agency personnel to whom persons may direct questions or comments:

Name:
Address:
Telephone:
4. A summary of the delegation agreement and the subjects and issues involved:
5. Copies of the proposed delegation agreement may be obtained from the agency as follows:
6. The schedule of public hearings on the proposed delegation agreement:

NOTICE OF AGENCY GUIDANCE DOCUMENTS

(Agency Name)

1. **Title of the guidance document and the guidance document number by which the document is referenced:**
2. **Date of the publication of the guidance document and the effective date of the document if different from the publication date:**
3. **Summary of the contents of the guidance document:**
4. **A statement as to whether the guidance document is a new document or a revision:**
5. **The name, address, and telephone number of the person to whom questions and comments about the guidance document may be directed:**

Name:
Address:
Telephone number:
6. **Information about where a person may obtain a copy of the guidance document and the costs for obtaining the document:**

NOTICE OF AGENCY SUBSTANTIVE POLICY STATEMENT

(Agency Name)

1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:
2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:
3. Summary of the contents of the substantive policy statement:
4. A statement as to whether the substantive policy statement is a new statement or a revision:
5. The name, address, and telephone number of the person to whom questions and comments about the substantive policy statement may be directed:

Name:
Address:
Telephone number:
6. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

NOTICE OF AGENCY OMBUDSMAN

1. **The agency name:**
2. **The ombudsman's name:**
3. **The ombudsman title:**
4. **The ombudsman's office address including zip code:**
5. **The ombudsman's telephone number and facsimile number, if available:**

Telephone number:

Facsimile number:

AGENCY CERTIFICATE

1. **Agency name:**
2. **Chapter heading:**
3. **Code citation for the Chapter:**
4. **The Subchapters, if applicable; the Articles; the Parts, if applicable; and the Sections involved in the rulemaking, listed in alphabetical and numerical order:**

Subchapters, Articles, Parts, and Sections

Action:

(in alphabetical and numerical order)

(Preferred, not required)

5. The rules contained in this package are true and correct as (proposed, adopted, etc.).

6. _____
Signature of Agency Chief Executive Officer

Date of signing

Printed or typed name of signer

Title of signer

7. No changes have been made to these rules since the Governor's Regulatory Review Council approved the rules.
(This statement need only appear when the rules being submitted are final rules or summary rules approved by the Council.)

AGENCY RECEIPT

(Please specify the type of document this receipt is accompanying)

1. **Agency name:**
2. **The Subchapters, if applicable; the Articles; the Parts, if applicable; and the Sections involved in the rulemaking,**
listed in alphabetical and numerical order:

Subchapters, Articles, Parts, and Sections
(in alphabetical and numerical order)

Action

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ATTORNEY GENERAL APPROVAL OF FINAL RULES

1. **Agency name:**
2. **Chapter heading:**
3. **Code citation for the Chapter:** _____ **A.A.C.** _____
4. **The Subchapters, if applicable; the Articles; the Parts, if applicable; and the Sections involved in the rulemaking, listed in alphabetical and numerical order:**

Subchapters, Articles, Parts, and Sections
(in alphabetical and numerical order)

Action:
(Preferred, not required)

5. **The rules contained in this package are approved as final rules.**

6. _____
Signature of Attorney General

Date of signing

Janet Napolitano, Attorney General

ATTORNEY GENERAL APPROVAL OF EMERGENCY RULES

Emergency rules are valid for 180 days after filing with the Secretary of State
pursuant to A.R.S. § 41-1026.

1. **Agency name:**
2. **Chapter heading:**
3. **Code citation for the Chapter:** _____ A.A.C. _____
4. **The Subchapters, if applicable; the Articles; the Parts, if applicable; and the Sections involved in the rulemaking,**
listed in alphabetical and numerical order:

Subchapters, Articles, Parts, and Sections
(in alphabetical and numerical order)

Action:
(Preferred, not required)

5. **The rules contained in this package are approved as final rules.**

6. _____
Signature of Attorney General

Date of signing

Janet Napolitano, Attorney General

**GOVERNOR'S REGULATORY REVIEW COUNCIL
APPROVAL OF FINAL RULES**

1. **Agency name:**
2. **Chapter heading:**
3. **Code citation for the Chapter: _____ A.A.C. _____**
4. **The Subchapters, if applicable; the Articles; the Parts, if applicable; and the Sections involved in the rulemaking, listed in alphabetical and numerical order:**

Subchapters, Articles, Parts, and Sections
(in alphabetical and numerical order)

Action:
(Preferred, not required)

5. **The rules contained in this package are approved as final rules.**

6. _____
Signature of G.R.R.C. Administrator

Date of signing

Typed Name of G.R.R.C. Administrator

GOVERNOR'S REGULATORY REVIEW COUNCIL

APPROVAL OF SUMMARY RULES

1. **Agency name:**
2. **Chapter heading:**
3. **Code citation for the Chapter: _____ A.A.C. _____**
4. **The Subchapters, if applicable; the Articles; the Parts, if applicable; and the Sections involved in the rulemaking,**
listed in alphabetical and numerical order:

Subchapters, Articles, Parts, and Sections
(in alphabetical and numerical order)

Action:
(Preferred, not required)

5. **The rules contained in this package are approved as final rules.**

6. _____
Signature of _____

Date of signing

Typed Name of _____